

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JUN 24 2008 *new*

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

William Moorehead,
Defendant-Petitioner,

v.

UNITED STATES OF AMERICA,
Plaintiff-Respondent.

) Case No.: 1:08-cv-01639
Honorable James B. Zagel

RE: REQUEST FOR A COPY OF THE GOVERNMENT'S RESPONSE
TO DEFENDANT'S MOTION UNDER § 2255
TO VACATE, SET ASIDE OR CORRECT SENTENCE

COMES NOW the Petitioner in the above entitle caption, William Moorehead, appearing Pro Se, do hereby respectfully request this Honorable Court pursuant to Rule 77(d) of the Federal Rules of Civil Procedure, for this matter, for a copy of the Government's response filed June 6, 2008, so he may review such response and submit his reply in accordance with case law analysis and research afforded him thereafter review. Petitioner states as follows:

1. That petitioner filed his motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence on March 20, 2008, entered in on March 21, 2008. (D/E 1). Followed by attached affidavit. (D/E 4), and Memorandum of law. (D/E 3)
2. That petitioner submitted a "Show-Cause Pleading" on

April 29, 2008, pursuant to Rule 4(b) standard governing § 2255 proceedings. (D/E 6). Thereby requesting the court to order a government's response in this matter under 28 U.S.C. § 2255.

3. That this Honorable Court entered its order setting forth the following fact: "Government's response to the motion to vacate, set aside, or correct sentence [1] is due 6/11/2008. Reply to response due 7/9/2008. Ruling to be made by mail notice (drw,). (D/E 7, Entered 05/14/2008).

4. As of this 19th day of JUNE, 2008, William Moorehead, herein Defendant-Petitioner, has not received a copy of the Government's response in this § 2255 matter. As such delay could be prejudice and bias to petitioner's need to research, analysis of the government's supporting case law facts and opinions disputing the claims as raised in § 2255 motion pending before this court. (D/E 1,2,3, and 4).

5. That this court have provided a time limit in which to reply to the response as submitted by the government, (D/E 7). Because petitioner is appearing pro se, See Case law cite in light of Haines V. Kerner, 404 US 519, 30 L.Ed. 2d 652, 92 S.Ct. 594 (1972), where such a difficulty in the analysis and supporting case law cited by the government could arise, lose of time may be critical to petitioner's reply process. Petitioner ask that a copy of the Government's response be sent to his place of incarceration through legal mail service to be signed by him at the time of arrival.

CERTIFICATE OF SERVICE

This certifies under the penalty of perjury pursuant to 28 U.S.C. § 1746; and 18 U.S.C. 1621 that, I William MOOREHEAD have on this 19th day of JUNE, 2008, placed a true and exact copy of said:

REQUEST FOR A COPY OF THE GOVERNMENT'S RESPONSE
TO DEFENDANT'S MOTION UNDER § 2255
TO VACATE, SET ASIDE OR CORRECT SENTENCE

in the FPC Marion Satellite Camp Legal Mailbox through authorized mail service, at Marion, Illinois, first class postage prepaid, addressed to the following parties:

United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Chicago, Illinois 60604. Clerk of the Court.

United States Assistance Attorney, Jacqueline O. STERN address, 219 South DEARBORN SUITE 500
CHICAGO, IL 60604.

LOCATION OF CONFINEMENT

William Moorehead
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P.O. Box 1000
Marion, IL 62959
Appearing Pro Se

CC.